

REMARKS/ARGUMENTS

Applicants confirm the election of Group 1, Claims 1-4, 7 and 8. New Claims 18 and 19 are in the elected group.

New claim 18 is supported by the description of page 19, lines 13-15:

"it is particularly preferable to contain at least two kinds of metal element in the layer."

New claims 19 is supported by the description of Examples 4-9 of the present specification.

To avoid the objection to the drawings, the specification is amended to correct an error. Corrected drawings are not required.

Rejection under 35 USC 112

Claim 1 is amended to provide antecedent basis for the recitation in Claims 1-3.

The specification is amended to resolve the objections and correct certain errors.

The legend under Table 2 is not incorrect. The Table indications were reversed. This is corrected.

Withdrawal of the formal rejections and objection is respectfully requested.

Claims 1, 4, 7, and 8 are rejected an anticipated by Ito

<About Ito>

The Examiner takes the position that Ito discloses the refractive index of:

- (i) a transparent conductive layer to be 2.05;
- (ii) a gas barrier film to be 1.76; and
- (iii) a cellulose ester film to be 1.47-1.50.

Ito discloses, in paragraph [0091], a variety of metals for making a gas barrier layer. However, Ito is silent to control the refractive index of the gas barrier layer to be smaller than the refractive index of the transparent conductive layer and larger than the refractive index value of the transparent plastic film. Ito is also silent with respect to adjusting the refractive index to be 1.76.

Ito does not teach to make a transparent conductive film having a decreased index from the transparent conductive layer to the transparent plastic film. Moreover, Ito has no motivation to achieve

the refractive index of 1.76 by mixing SiO₂ and TiO₂ having a mixing ratio of 1:1.

From the above-described reason, Ito does not teach or suggest transparent conductive films comprising layers which inherently exhibit the refractive index as required in the present claim.

Therefore, the present invention is not shown or inherent in Ito. Withdrawal of the anticipation rejection is therefore requested.

Claim 2 is rejected under 35 USC 103 (a) over Ito in view of Yuasa and Veligdan

The Examiner considers that Ito fails to disclose that the gas barrier layer has a continuous or stepwise decrease in its index of refraction when going from a surface in contact with the transparent conductive layer to a surface in contact with the transparent plastic film, but combines Yuasa and Veligdan to provide missing teaching.

Yuasa is cited for teaching teaches to vary the percentage of silicon dioxide and titanium dioxide within a functionally gradient optical film. However, Yuasa is silent with respect to a transparent conductive film having a gas barrier layer.

Veligdan is cited for teaching to vary the refractive index gradually and continuously throughout an optical waveguide, especially to reduce glare. Veligdan is silent with respect to the transparent conductive film having a gas barrier layer in which refractive indexes are decreased from a surface of the transparent conductive film having the transparent conductive layer to the other surface of the transparent conductive film as is recited in the present claim 1.

Therefore, combining Ito, Yuasa and Veligdan does not show or suggest to achieve the transparent conductive film of the present invention or any reason to do so.

The specific feature of the transparent conductive film of the present claim is controlled so that the refractive index continuously or stepwise decreases from a surface of the transparent conductive film having the transparent conductive layer to the other surface of the transparent conductive film. This arrangement of the refractive index was done to solve the problem which is described in SUMMARY OF THE INVENTION (see page 4 of the present specification).

Appl. No. 10/594,096

Reply to Office Action of December 30, 2008

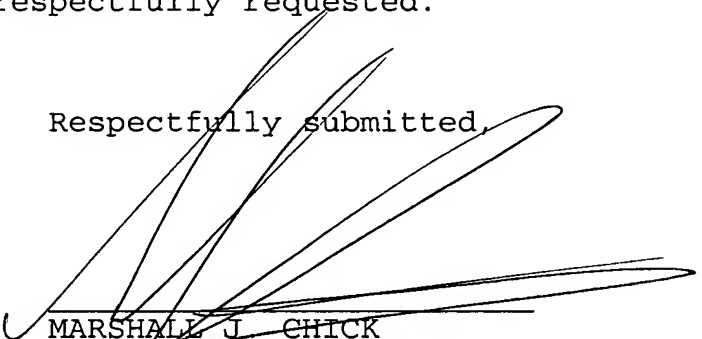


Especially, by using a transparent conductive film having the arrangement of the refractive index, it can be achieved to provide an organic EL element emitting light with high luminance (or high luminance light).

In view of the above, the rejections are avoided. Allowance of the application is therefore respectfully requested.

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Respectfully submitted,


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Encs. Petition for One Month Extension of Time and fee